Michael Castor
<easternplating@yahoo.com>
06/03/2008 03:59 PM

To Stacie Peterson/R3/USEPA/US@EPA
cc _Wellington Abhilashi <ep_labs@yahoo.com>, _Karen <ep_pulaski2@yahoo.com>, JeannaR Henry/R3/USEPA/US@EPA
bcc
Subject Re: 5-21-08

Hello Stacie -
Thanks for the update.

Today we shipped several drums of hazardous waste MEK and will forward the manifest to Jeanna.

Good luck with your new position.

Mike Castor

Peterson.Stacie@epamail.epa.gov wrote:

Hi Mike. Thank you for your additional response. I don't have any further questions for you right now. However, I wanted to let you know that I will be leaving RCRA to go on for a detail in Superfund (starting June 9). Jeanna Henry, who accompanied me on the inspection, will be the new point of contact. She is cced on this e-mail, and her address is the same as mine. Her phone number is 215-814-2820.

Thanks.

Stacie Peterson, Environmental Engineer
US EPA Region III - RCRA Compliance & Enforcement (3WC31)
1650 Arch Street
Philadelphia, PA 19103
(215)814-5173 - Phone
(215)814-3163 - Fax

Michael Castor
yahoo.com> To
Stacie Peterson/R3/USEPA/US@EPA
05/30/2008 11:16 cc
AM _Karen ,
_Wellington Abhilashi

Subject

Re: 5-21-08

Hello Stacie -
Below are the responses to the email on 5-21-08.

1. Currently there are 5 drums of dirty MEK at the Baylis facility.
The generation dates for the 5 drums are (1) 10/25/07, (2) 12/28/07, (3) 02/29/08, (4) 03/25/08, (5) 05/13/08.

Drums #1-3 have been scheduled for hazardous waste pickup on June 3, 2008.
A copy of the manifest will be forwarded to you when generated.
Drums #4-5 will be recycled prior to the 90 day accumulation.

2. The understanding, as stated, is correct with the following exception:

The following statement is inaccurate, â€œ Once the MEK is saturated with lacquer or considered dirty, and the operator has determined that it is no longer effective...â€.

The statement should read, â€œThe MEK is considered dirty when the operator determines it no longer dissolves the lacquer in a reasonable amount of time.â€□

Notes:
Dirty MEK which has been transferred to the drum is not spent nor no longer effective. Should the operator not have any clean MEK available, they would continue using the dirty MEK instead of transferring it to the drum. It would be effective but take more time. This has happened in the past but we have no records to

support this.

All dirty MEK transported to Pulaski was recycled and over 95% of it was used at Pulaski. This was supported by the 21 drums of MEK purchased at Baylis during the time period since 09/06 and as stated in Additional Response #6. During this time period the amount of MEK purchased for Pulaski was insufficient to support production since we relied on the dirty MEK sent from Baylis.

Regarding the nickel acetate sludge: We will be more thorough in our analysis and determination of this waste stream in future hauls.

Mike Castor

Peterson.Stacie@epamail.epa.gov wrote:
Hello Mr. Castor. Thanks again for the responses to my last set of questions. I have a remaining couple questions and a few things I want to make you aware of.

1. In the response to April 3, 2008 Additional Information Request, you stated that you have/had 3 drums of dirty MEK at Baylis on 4/22/08. In the notes, you stated that the first drum was generated on October 25, 2007. Please state when the other 2 drums were generated. Also, please send me a copy of the manifest once these drums are shipped off-site.

2. I just want to make sure I am understanding all the terminology and handling of the MEK. Ã¢â‚¬Å“DirtyÃ¢â‚¬Âe MEK is lacquer-saturated MEK. Once the MEK is saturated with lacquer or considered Ã¢â‚¬Å“dirtyÃ¢â‚¬Â□, and the operator has determined that it is no longer effective, it is removed and placed into 55-gallon drums. The Ã¢â‚¬Å“dirtyÃ¢â‚¬Â□ MEK in these drums is then either shipped off-site for disposal or placed into the distillation unit. Although you stated in the last response that the Ã¢â‚¬Å“dirtyÃ¢â‚¬Â□ MEK can still be used in the initial soak, all Ã¢â‚¬Å“dirtyÃ¢â‚¬Âo MEK observed during the inspections was either placed into the distillation unit or sent off-site for disposal. Also, all the Ã¢â‚¬Å“dirtyÃ¢â‚¬Â□ MEK that was transported from the Baylis facility to the Pulaski facility were placed in the distillation unit - none of the Ã¢â‚¬Å“dirtyÃ¢â‚¬ÂE MEK was reused in the initial soak at the Pulaski facility.

Please state whether or not the above understanding is correct. If one or more of the above statements is not accurate, for

each such statement
please: a) indicate which statement(s) is inaccurate; b)
describe, in detail, your reasons as to why such statement
is inaccurate, and c) provide
documentation supporting any assertion of inaccuracy.

Please be advised - Based on the manifests I reviewed for 2004-2007, the Baylis site would be subject to the MD generator requirements and federal large quantity generator requirements. Therefore, you can only store hazardous waste onsite for 90-days. You need to ship these drums off-site ASAP since the first drum has been accumulating onsite since October 25, 2007 (approximately 180 days).

In addition, in the response to the April 3, 2008 Additional Information Request, you stated that the nickel acetate/nickel hydroxide sludge was determined to be nonhazardous. You provided a lab analysis, however, it did not provide any results for pH. I contacted the TSDF on this waste stream. According to the TSDF, this waste stream was shipped off-site as nonhazardous on manifests 55062 and 89360. However, according the TSDFÃ¢â‚¬â„¢s fingerprinting analysis, this waste stream associated with manifest 55062 and 89360 had a pH of 14. The TSDF identified the material as hazardous waste and wrote discrepancies to add the EPA waste code of D002 (for corrosivity). That is probably why your most recent waste profile from the TSDF identifies the waste as hazardous. Please be sure to do a proper waste analysis/determination for this waste stream.

Please provide this information regarding the 2 questions by COB on May 30, 2008.

Thanks.Stacie Peterson, Environmental Engineer
US EPA Region III - RCRA Compliance & Enforcement (3WC31)
1650 Arch Street
Philadelphia, PA 19103
(215)814-5173 - Phone
(215)814-3163 - Fax

Michael W. Castor
President

Eastern Plating Company, Inc.
410-342-4107
410-342-0105 fax

Michael W. Castor
President
Eastern Plating Company, Inc.
410-342-4107
410-342-0105 fax

Stacie Peterson/R3/USEPA/US
06/23/2008 11:02 AM

To JeannaR Henry/R3/USEPA/US@EPA
cc
bcc
Subject Fw: Reference No. C08-009. EPA ID No. MDD063215453; MD0000136366

Here is my e-mail to him.

Stacie Peterson, Environmental Engineer
Eastern PA Remediation Branch (3HS21)
Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103
(215)814-5173 - Phone
(215)814-3002 - Fax

----- Forwarded by Stacie Peterson/R3/USEPA/US on 06/23/2008 11:01 AM -----

Stacie Peterson/R3/USEPA/US
04/03/2008 05:12 PM

To Michael Castor <easternplating@yahoo.com>
cc
Subject Re: Reference No. C08-009. EPA ID No. MDD063215453; MD0000136366

Hello Mr. Castor. I have finished reviewing the response. Thank you for providing this information promptly. However, I have a number of additional questions. Rather than send you a formal follow-up information request, I thought I would send you my questions electronically. Please provide a response to my questions by Friday, April 18. If you have any further questions, please call me.

Furthermore, in follow-up to our telephone conversation of 3/25/08, any solid material generated by Eastern Plating's MEK distillation unit, along with any spent MEK-contaminated materials (brushes, q-tips, rags, gloves, etc.), would be classified as a F005 listed hazardous waste under RCRA Subtitle C. This determination is based on the information submitted to EPA by Eastern Plating on March 17, 2008 in response to a February 4, 2008 Information Request Letter. You stated that the Eastern Plating currently manages such solid materials as non-hazardous and disposes of it in the regular municipal trash. The management of this waste as non-hazardous must cease immediately and the solid material must be managed on-site in accordance with the generator requirements of 40 C.F.R. § 262.34. Furthermore, this waste must be shipped off-site for treatment and disposal to a RCRA Subtitle C permitted treatment, storage and disposal facility (TSDF).

Thanks.

Additional Questions for Eastern Plating.doc

Stacie Peterson, Environmental Engineer
US EPA Region III - RCRA Compliance & Enforcement (3WC31)
1650 Arch Street
Philadelphia, PA 19103
(215)814-5173 - Phone

(215)814-3163 - Fax

Michael Castor <easternplating@yahoo.com>

Michael Castor
<easternplating@yahoo.com>
02/28/2008 05:51 PM

To Stacie Peterson/R3/USEPA/US@EPA
cc _Wellington Abhilashi <ep_labs@yahoo.com>, _Karen <ep_pulaski2@yahoo.com>
Subject Reference No. C08-009. EPA ID No. MDD063215453; MD0000136366

Hello Stacie -
We are requesting a two week extension to our responses for our case, as referenced above:

The original deadline, 30 days from the mailing date, was to be March 4. With the extension, we would have the report submitted to you by March 18.

Our delay was due to several reasons:
The report was sent to Sarah Castor instead of me. It reached my desk several days after receipt.
We have sent samples to an independent lab for testing. We are still waiting for some of thes results.

We will be waiting for your reply.

Thanks,
Mike Castor

Michael W. Castor
President
Eastern Plating Company, Inc.
410-342-4107
410-342-0105 fax

Additional Questions for Eastern Plating

Pulaski Facility -

1. In the response to Question 2 of the February 4, 2008 Information Request, it is stated that approximately 1-2 drums (55-110 gallons) of MEK are accumulated per month from the Pulaski facility. In the response to Question 3 of the February 4, 2008 Information Request, it is stated that that within MEK storage, eight drums were observed: one drum (labeled "clean") was empty; one drum (labeled "clean") was full containing reclaimed MEK; four full drums contained "dirty" MEK awaiting recycling; and two partially full drums of MEK were used for more accumulation. Furthermore, it is stated that it is estimated that accumulation of these batches began in November 2007. Based on this information, it appeared that the Facility had approximately 2-4 more drums than expected during the December 2007 inspection.

    a. If 1-2 drums of "dirty" MEK are generated per month at the Pulaski facility and the accumulation of the "dirty" MEK began in November 2007, please explain why four full drums and two partially filled drums of "dirty" MEK were observed during the December 11, 2007 inspection, and provide the basis of your knowledge.

    b. How many gallons of "dirty" MEK are routinely generated in one month?

    c. From November 2007 – December 11, 2007 (date of inspection) were 4-5 drums of "dirty" MEK generated? If so, please explain why it is stated in the response that approximately 1-2 drums are accumulated per month, and this was not the case from November 2007 – December 11, 2007.

2. In the response to Question 4 of the February 4, 2008 Information Request, it is stated that the dried still bottoms have been disposed in the municipal trash. Please provide an estimate, in pounds, of the amount of still bottoms that have been disposed in the municipal trash since the distillation unit began operating in March 2007, and the date(s) such disposal occurred.

3. On several of the Pulaski facility manifests, the generator identification number is listed as MDD981111750. This number is associated with Technical Finishers of 1817C Whitehead Road, Baltimore, Maryland. Eastern Plating's generator identification number is MD0000136366. Please explain why the generator identification number associated with Technical Finishers is on several of Eastern Plating's Pulaski facility manifests.

4. Several of the manifests provided for the Pulaski facility included the waste streams of n-propyl bromide, 2-propanol and nickel acetate, nickel hydroxide. For ***each*** of these two waste streams, please answer the following:

a. Provide a detailed description of the process(es) that generate ***each*** of these waste streams.

b. Please provide the chemical component names and the percentage of each chemical component present in ***each*** of these waste streams.

c. Provide the Material Safety Data Sheets (MSDSs) for each chemical component present in ***each*** of these waste streams.

d. State whether a "waste determination" and "LDR determination" was made for ***each*** of these waste streams.

e. If a "waste determination" and "LDR determination" were made for each of these waste streams, state when ***each*** such determinations were made.

f. Were ***each*** of these waste streams determined to be "hazardous waste?" If so, please state the specific EPA Hazardous Waste Code(s) associated with ***each*** such hazardous waste.

g. State whether ***each*** hazardous waste determination was based on the generator's knowledge of the process that generated the waste or on analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

Baylis Facility –

5. In the response to Question 8 of the February 4, 2008 Information Request, it is stated that all aerosol cans are maintained and disposed of according to instructions given on the respective labels.

   a. Please state how aerosol cans are disposed (e.g., thrown in the municipal waste).

   b. For ***each*** aerosol can product used at the Facility, please provide a copy of ***each*** label which provides disposal instructions.

6. In the response to Question 18 of the February 4, 2008 Information Request, it is stated that waste materials were transported only one time during the week of November 12, 2007 from the Baylis facility to the Pulaski facility. The waste transported was one 55-gallon drum of "dirty" MEK. Based on a review of the manifests and LDRs for the Baylis facility, MEK was last shipped off-site to a disposal facility on September 26, 2006. 110 gallons to 330 gallons of "dirty"

MEK were shipped off-site from the Baylis facility approximately every three months from July 2003 – September 2006.

a. Provide the basis of your knowledge in that only one shipment of one "dirty" MEK drum was transported from the Baylis facility to the Pulaski facility.

b. Please state how much "dirty" MEK was generated per month from September 2006 – March 2008, and provide any supporting documentation.

c. Please state how the "dirty" MEK generated from September 2006 – March 2008 was disposed, and provide any supporting documentation (e.g., manifests).

7. Based on a review of the manifests and LDRs for the Baylis facility, from July 2003 – September 2006, 110 gallons to 330 gallons of "dirty" MEK were shipped off-site from the Baylis facility approximately every three months. It is EPA's understanding that this would equate to a generation rate of 36 gallons per month – 110 gallons per month of "dirty" MEK. In the response to Question 10 of the February 4, 2008 Information Request, it is stated that approximately 5-10 gallons of "dirty" MEK is generated per month.

a. Please provide the basis of your knowledge in that only 5-10 gallons of "dirty" MEK is generated per month.

b. Explain why the manifests indicate a greater monthly generation rate of MEK than what was provided in the response to Question 10 of the February 4, 2008 Information Request.

8. As documented in the December 11, 2007 inspection report, next to the electric meters and anodizing tank, ten (10) 55-gallon drums and one (1) overpack container were observed. Therefore, a total of eleven (11) containers were observed. A diagram of the layout of this area and the eleven containers was included in Attachment 2, which was included in the February 4, 2008 Information Request. Within Question 9 of the February 4, 2008 Information Request, additional information was requested for these eleven containers. However, in the response to Question 9 of the February 4, 2008 Information Request, only ten containers were identified and discussed. Please identify the remaining container and answer Question 9 for this container.

9. As documented in the December 11, 2007 inspection report, near the electric meters and anodizing tank, the inspector observed three drums labeled "Chromic Rinse," Chromic," and "Rinse Chromic." Although the inspectors were unable to observe any labels, Mr. Wellington Abhilashi, Facility chemist, stated that an additional container in this area (which had a cooler on top of it) also contained

chromic rinse water. Due to the limited spacing and the location of the drums, Mr. Abhilashi was unable to identify the contents of two remaining drums. However, in a January 17, 2007 letter from Mr. Abhilashi, one of these two drums was identified in this area as chromic rinse water and was labeled "Chromic Rinse." Of these five containers said to contain chromic rinse, two (2) were dated 12/7/07, one (1) was dated 10/30/07, and one (1) was dated 11/11/07. In the response to Question 9 of the February 4, 2008 Information Request, it is stated that three of the four chromic rinse water drums were generated on December 7, 2007.

a. As explained in this question, it is EPA's understanding that there were five, not four, containers of chromic rinse water. Please state whether or not the above understanding is correct. If one or more of the above statements is not accurate, for each such statement please: a) indicate which statement(s) is inaccurate; b) describe, in detail, your reasons as to why such statement is inaccurate, and c) provide documentation supporting any assertion of inaccuracy.

b. Please provide the basis of your knowledge in that the chromic rinse water was generated on December 7, 2007.

c. Explain why two of the chromic rinse containers were dated 10/30/07 and 11/11/07, but were said to be generated on December 7, 2007 in the response.

d. Please state when the contents of the remaining chromic rinse water drum were generated and were disposed.

10. As documented in the December 11, 2007 inspection report, near the electric meters and anodizing tank, the inspector observed one overpack container labeled "Caustic Etch Sludge" and was dated 5/12/06. Due to the limited spacing and the location of the drums, Mr. Abhilashi was unable to identify the contents of two remaining drums in that area. However, in a January 17, 2007 letter from Mr. Abhilashi, one of these two drums was identified in this area as caustic etch sludge and was labeled "Etch Caustic" and undated. In the response to Question 9 of the February 4, 2008 Information Request, it is stated that the caustic etch drums were generated on June 20, 2007 and were used in the wastewater treatment system.

a. Please provide the basis of your knowledge in that the caustic etch was generated on June 20, 2007.

b. Explain why one of the caustic etch containers was dated 5/12/06, but were said to be generated on June 20, 2007 in the response.

c. Please provide the date and any supporting documentation as to when the caustic etch was used in the wastewater treatment system.

11. Of the manifests provided in the response to the February 4, 2008 Information Request, one was illegible. Please provide legible copies of manifest MDC0989360, which appears to be signed by Mr. Melvin Pollard on 1/14/03.

12. Several of the manifests provided for the Baylis facility included the waste stream nickel acetate, nickel hydroxide. For this waste streams, please answer the following:

a. Provide a detailed description of the process(es) that generate this waste stream.

b. Please provide the chemical component names and the percentage of each chemical component present in this waste streams.

c. Provide the Material Safety Data Sheets (MSDSs) for each chemical component present in this waste stream.

d. State whether a "waste determination" and "LDR determination" was made for this waste stream.

f. If a "waste determination" and "LDR determination" were made for this waste stream, state when each such determination was made.

f. Was this waste streams determined to be "hazardous waste?" If so, please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

g. State whether the hazardous waste determination was based on the generator's knowledge of the process that generated the waste or on analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

Both Facilities –

13. In the response to Question 21 of the February 4, 2008 Information Request, it is stated that contingency plans for each of Eastern Plating's two facilities have been submitted to police departments, fire departments, hospitals, and state and local emergency response teams. Please state when these plans have been submitted to the police departments, fire departments, hospitals, and state and local emergency response teams, and provide the basis of your knowledge.

14. In the response to Question 20 of the February 4, 2008 Information Request, it is stated that Attachment 20a contains the job title and job description for the chemist. Attachment 20a was not included in the response. Please provide Attachment 20a.

15. There were a number of individual that signed manifests from 2003 – 2007 on behalf of Eastern Plating, including Gerald Sullivan, Karen Keffer, Espinoza, Michael Shimmer, Amy McGee, Justin Wright, Amy Writt, Brandon Humphreys, Stanley Bowell, Karen Keffer, Frank Leach, and Rolanda Morris. Please state if job titles and job descriptions are maintained for these individuals. If so, please submit job titles and job descriptions for these employees, and state when such documentation was prepared.

16. In the response to Question 22 of the February 4, 2008 Information Request, it is stated that inspections of the hazardous waste storage area were performed ***weekly*** at both facilities by the Facility Chemists, however, no inspection logs have been maintained prior to June 2007. In a January 17, 2007 letter from Mr. Abhilashi, ***monthly*** inspection logs were provided for June 2007 – January 2008.

    a. Since no inspection logs have been maintained prior to June 2007, and, thereafter, only monthly inspection logs have been maintained, please provide the basis of your knowledge that weekly inspections of the hazardous waste storage area were being performed.

    b. For each Facility, please provide the name(s) of those employees responsible for conducting the weekly inspections of the hazardous waste storage areas.

Stacie Peterson/R3/USEPA/US
05/27/2008 01:41 PM

To Michael Castor <easternplating@yahoo.com>
cc _Wellington Abhilashi <ep_labs@yahoo.com>, _Karen <ep_pulaski2@yahoo.com>
bcc JeannaR Henry/R3/USEPA/US
Subject Re: 5-21-08

Hello Mike. Yes, for the drums of "dirty" MEK that you have had onsite since October 25, 2007 you would be in violation if you continue to hold onto the contents of these drums until they are recycled. From the 91st day, you have been in violation for exceeding the 90-day permit exemption. It is up to you if you wish to hold onto the contents of these drums until the recycling unit is in operation. However, you will continue to be in violation until the contents of these drums are sent off site for disposal or recycled.

Please let me know what you decide to do. If these drums are shipped off-site, please provide me the manifest. If you choose to wait until the unit is operational, please let me know when the contents are recycled.

Thanks.

Stacie Peterson, Environmental Engineer
US EPA Region III - RCRA Compliance & Enforcement (3WC31)
1650 Arch Street
Philadelphia, PA 19103
(215)814-5173 - Phone
(215)814-3163 - Fax

Michael Castor <easternplating@yahoo.com>

Michael Castor <easternplating@yahoo.com>
05/22/2008 05:39 PM

To Stacie Peterson/R3/USEPA/US@EPA
cc _Wellington Abhilashi <ep_labs@yahoo.com>, _Karen <ep_pulaski2@yahoo.com>
Subject Re: 5-21-08

Hello Stacie -
The responses will be forwarded to you by May 30, as requested.

Regarding the dirty MEK, could you help us with the following:

We have purchased a solvent recycler which is due to ship to us next week. (The purchase receipt is attached.) We believe that it will take several days to have it operating and in, about two weeks, we will have the unit operating. Would we be in violation to continue to hold the dirty MEK and recycle it when the unit arrives?

Thanks,
Mike Castor

Peterson.Stacie@epamail.epa.gov wrote:
Hello Mr. Castor. Thanks again for the responses to my last set of questions. I have a remaining couple questions and a few things I want to make you aware of.

1. In the response to April 3, 2008 Additional Information Request, you stated that you have/had 3 drums of dirty MEK at Baylis on 4/22/08. In the notes, you stated that the first drum was generated on October 25, 2007. Please state when the other 2 drums were generated. Also, please send me a copy of the manifest once these drums are shipped off-site.

2. I just want to make sure I am understanding all the terminology and handling of the MEK. â€œDirtyâ€/ MEK is lacquer-saturated MEK. Once the MEK is saturated with lacquer or considered â€œdirtyâ€□, and the operator has determined that it is no longer effective, it is removed and placed into 55-gallon drums. The â€œdirtyâ€h MEK in these drums is then either shipped off-site for disposal or placed into the distillation unit. Although you stated in the last response that the â€œdirtyâ€□ MEK can still be used in the initial soak, all â€œdirtyâ€ MEK observed during the inspections was either placed into the distillation unit or sent off-site for disposal. Also, all the â€œdirtyâ€□ MEK that was transported from the Baylis facility to the Pulaski facility were placed in the distillation unit - none of the â€œdirtyâ€E MEK was reused in the initial soak at the Pulaski facility.

Please state whether or not the above understanding is correct. If one or more of the above statements is not accurate, for each such statement
please: a) indicate which statement(s) is inaccurate; b) describe, in detail, your reasons as to why such statement is inaccurate, and c) provide
documentation supporting any assertion of inaccuracy.

Please be advised - Based on the manifests I reviewed for 2004-2007, the Baylis site would be subject to the MD generator requirements and federal large quantity generator requirements. Therefore, you can only store hazardous waste onsite for 90-days. You need to ship these drums off-site ASAP since the first drum has been accumulating onsite since October 25, 2007 (approximately 180 days).

In addition, in the response to the April 3, 2008 Additional

Information Request, you stated that the nickel acetate/nickel hydroxide sludge was determined to be nonhazardous. You provided a lab analysis, however, it did not provide any results for pH. I contacted the TSDF on this waste stream. According to the TSDF, this waste stream was shipped off-site as nonhazardous on manifests 55062 and 89360. However, according the TSDFâ€™s fingerprinting analysis, this waste stream associated with manifest 55062 and 89360 had a pH of 14. The TSDF identified the material as hazardous waste and wrote discrepancies to add the EPA waste code of D002 (for corrosivity). That is probably why your most recent waste profile from the TSDF identifies the waste as hazardous. Please be sure to do a proper waste analysis/determination for this waste stream.

Please provide this information regarding the 2 questions by COB on May 30, 2008.

Thanks.Stacie Peterson, Environmental Engineer
US EPA Region III - RCRA Compliance & Enforcement (3WC31)
1650 Arch Street
Philadelphia, PA 19103
(215)814-5173 - Phone
(215)814-3163 - Fax

Michael W. Castor
President
Eastern Plating Company, Inc.
410-342-4107
410-342-0105 fax


Recyler Confirmation.pdf

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1757

You are entitled to assert a claim of business confidentiality covering any part or all of the information, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

Please send, or otherwise ensure delivery of, **one copy** of the requested information **within thirty (30) calendar** days of your receipt of this letter to:

Ms. Stacie L. Peterson (3WC31)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Although EPA has not determined whether Eastern Plating is classified as a "small business" under the Small Business Regulatory Enforcement Fairness Act ("SBREFA"), please see the Information Sheet enclosed with this letter. The Information Sheet provides information on contacting the Small Business Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in EPA's small business program or to seek compliance assistance does not relieve Eastern Plating of its obligation to respond in a timely manner to an
EPA request or enforcement action, create any new rights or defenses under law, and will not affect EPA's decision to pursue an enforcement action. To preserve its legal rights, Eastern Plating must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement actions.

If you have any questions concerning this matter, please contact Ms. Stacie L. Peterson at (215) 814-5173.

Sincerely,

Carol Amend, Chief
RCRA Compliance and Enforcement Branch
Waste and Chemicals Management Division

Enclosures

cc: S. Peterson (3WC31)
Rick Johnson (MDE)

CONCURRENCES								
SYMBOL ▸	3WC31	3WC31						
SURNAME ▸	S. Peterson	C. Amend						
DATE ▸								

EPA Form 1320-1 (12-70) OFFICIAL FILE COPY

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

FEB 0 4 2008

Federal Express

Ms. Sara Castor, Owner
Eastern Plating
1200 South Baylis Street
Baltimore, MD 21224

Re: Request for Information Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6927(a), Regarding Generation and Management of Hazardous Waste by Eastern Plating Company, Inc.

Information Request - Reference No. C08-009
EPA ID No. MDD063215453; MD0000136366

Dear Ms. Castor:

The U.S. Environmental Protection Agency, Region III ("EPA") is requesting information to supplement the information obtained by EPA during the December 11, 2007 inspections of Eastern Plating, located at 7803 Pulaski Highway in Baltimore, Maryland ("Pulaski Facility") and Eastern Plating, located at 1200 South Baylis Street in Baltimore, Maryland ("Baylis Facility") (copy of inspection reports enclosed for your review). EPA is requesting this information pursuant to the authority granted to it under Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(a), which provides in relevant part that "any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, ... furnish information relating to such wastes ...." EPA hereby requires that you furnish to EPA, **within thirty (30) calendar days** of receipt of this letter, the information requested below, including all documents responsive to such request.

For each and every request, if you have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request or may be able to provide additional responsive documents, then as a part of your response to such request, identify each such person and the additional information or documents which such person may be able to provide. Furthermore, for each and every response, if information or documents responsive to such request are not in your possession, custody or control, then as part of your response to such request, identify each person from whom such information or documents may be obtained.

Please provide a separate narrative response to each question. Precede each answer with the number of the question or letter of the subpart of the question to which it corresponds. A request for documents shall be construed as a request for any and all documents maintained by you or in your custody, control, or possession or in the possession, custody or control of any of

your employees or agents, relating to the matters described below. For each copy of a document produced in response to this request, indicate on such copy, or in some other reasonable manner, the number of the request to which it responds, the current location and custodian of the original, the date such original was prepared, the person(s) who prepared the original and the date the document became effective at the Facility.

As used herein, the term "document" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phonograph records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, computer discs, computer print outs, computer files, or other data compilations from which information can be obtained or translated.

All other terms used in this request for information that are defined in RCRA, 42 U.S.C. §§ 6901 *et seq.*, or 40 C.F.R. Parts 260-266 and 268 shall have the meanings set forth therein.

Requested Information

Pulaski Facility

1. Near rack storage, the inspectors observed a "Die Hard" vehicle battery on the ground (See Attachment 1 - Photo 4). The battery was unlabeled. Mr. Justin Wright, Pulaski Facility Production Coordinator, stated that the battery belonged to the maintenance and was unsure if the battery was new or used.

    a. Is this a new or used battery? If it is used battery, please describe how it was used at the Pulaski Facility.

    b. State how long this battery has been stored on the ground at the Pulaski Facility.

    c. Provide the make, model, and manufacturer of the battery.

    d. Provide a detailed description of the process(es) that generate the Facility's used battery waste stream.

    e. How many used batteries are generated in one year at the Pulaski Facility?

    f. State how the Pulaski Facility handles and stores its used battery waste stream. Please include but do not limit to (1) the types of containers used for storage, (2) labeling of the containers or individual batteries, and (3) dating of the containers or individual batteries while being accumulated on-site.

    g. How long is the Pulaski Facility's used battery waste stream accumulated on-site before being shipped off-site?

    h. Is the Pulaski Facility's used battery waste stream sent off-site for disposal or recycle?

    i. Please describe how the Pulaski Facility disposes of or recycles its used battery

waste stream. Provide any and all documentation, such as, bills of lading, shipping invoices, manifests, etc. in support of the Facility's disposal/recycle methods for this waste stream **for the past five (5) years.**

j. Please provide an explanation as to why the used battery observed on the ground by the EPA inspector at the time of the December 2007 CEI was not labeled with any of the following phrases: "Universal Waste Battery(ies), or "Waste Battery(ies), or "Used Batter(ies)."

2. Near the masking room, four parts cleaners, which were said to contain methyl ethyl ketone (MEK), and a distillation unit were observed by the inspectors. According to Pulaski Facility representatives, after the dipping process, the parts cleaners are used to remove the lacquer that has been applied to areas of the parts to protect them for anodizing. After the MEK is spent, it is transferred into 55-gallon drums for accumulation, prior to being distilled in the distillation unit to reclaim the MEK. According to Mr. Justin Wright, Pulaski Facility Production Coordinator, the Facility began distilling the spent MEK approximately one year ago. Prior to the distillation unit, the spent MEK was sent off-site for disposal. Facility representatives stated that it can take anywhere from 3-4 days to run one 55-gallon drum of spent MEK through the distillation unit, and drums of MEK may accumulate for 3-4 weeks prior to being reclaimed in the distillation unit.

a. Please state whether or not the above understanding is correct. If one or more of the above statements is not accurate, for each such statement please: a) indicate which statement(s) is inaccurate; b) describe, in detail, your reasons as to why such statement is inaccurate, and c) provide documentation supporting any assertion of inaccuracy.

b. Please state how many gallons of spent MEK are generated within one month at the Pulaski Facility and provide any supporting documentation (e.g., invoices).

c. Please provide the date that the distillation unit was installed and began operating at the Pulaski Facility and provide any supporting documentation (e.g, invoices).

d. Please provide the name and address of the disposal facility used to dispose of the spent MEK prior to the installation of the distillation unit and provide any supporting documentation (e.g, manifests).

3. Near the parts cleaners, several 55-gallon drums were observed (See Attachment 1 - Photo 9). According to Mr. Justin Wright, Pulaski Facility Production Coordinator, some of the drums were empty, others contained "clean" MEK, which had gone through the distillation unit, while others contained "dirty" MEK, which were to be processed through the distillation unit. "Clean" drums of MEK were said to be labeled "Clean" to distinguish them from spent containers of MEK that are to be processed (See Attachment 1 - Photos 10 and 11). It was difficult to inspect the containers due to limited spacing around the containers. However, Mr. Wright identified six 55-gallon drums in this area that were either ½ full or full of "dirty" MEK. None of these six drums were dated or labeled "Hazardous Waste" or with words identifying the contents of the drums. Five of the drums were closed, while one had a hand pump in the bung and was open (See Attachment 1 - Photo 12). A layout of the drums in this area is included in Attachment 1.

For each of the 55-gallon drums observed near the parts cleaners, please answer the following:

a. Please provide a detailed description of the process or processes which generated the materials in each of these containers.

b. Describe the contents of each of these containers observed during EPA's December 2007 CEI, and provide the basis for your knowledge of such contents.

c. Provide the start date in which waste accumulation began for each of these containers.

d. Provide a Materia Safety Data Sheet (MSDS) for **each and every** content present in each of these containers.

e. State whether a "waste determination" and "LDR determination" was made for the contents of each of these containers.

f. If a "waste determination" and "LDR determination" were made for the contents of each of these containers, state when such determinations were made.

g. Were the contents of each of these containers determined to be "hazardous waste?" If so, please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

h. State whether the hazardous waste determination was based on the generator's knowledge of the process that generated the waste or on analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

i. Please state if the contents of each of these containers were shipped off-site and the date of the shipment(s). If the contents have not been shipped off-site, state the current location of the contents and why such contents have not been shipped off-site.

j. Were the contents of each of these containers shipped off-site for recycle (i.e., reclaim, re-use), treatment, storage or disposal?

k. If the contents of each of these containers were shipped off-site, provide copies of **all** bills of lading, manifests (including hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied **each** off-site shipment of this waste.

4. Near the distillation unit, one 55-gallon drum labeled "MEK Recycle Residue" was observed by the inspectors (See Attachment 1 - Photo 14). The drum was closed. Pulaski Facility representatives stated that the drum contained the still bottoms from the distillation unit and were unsure as to how the waste was to be disposed.

For the still bottoms that are generated from the distillation unit, please answer the following:

a. State whether a "waste determination" and "LDR determination" has been made

for the still bottoms generated from the distillation unit.

b. If a "waste determination" and "LDR determination" were made for the still bottoms generated from the distillation unit, state when such determinations were made.

c. Please state if the still bottoms generated from the distillation unit have been determined to be "hazardous waste." Please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

d. State whether the hazardous waste determination was based on the generator's knowledge of the process that generated the waste or on analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

e. Please state if still bottoms generated from the distillation unit have been shipped off-site and the date of the shipment(s). If still bottoms generated from the distillation unit have not been shipped off-site, state the current location of any still bottoms generated from the distillation unit and why such still bottoms generated from the distillation unit have not been shipped off-site.

f. Are the still bottoms generated from the distillation unit sent off-site for recycle (i.e., reclaim, re-use), treatment, storage or disposal?

g. If still bottoms generated from the distillation unit are shipped off-site, provide copies of **all** bills of lading, manifests (including hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied **each** off-site shipment of this waste for the time period of **February 1, 2003 - Present**.

5. The inspectors observed the black oxide line during the December 2007 EPA inspection. According to Pulaski Facility representatives, this line has been at the Pulaski Facility for a few years. Within in the black oxide tank, a "crust" was observed on the top of the tank. The tank uses a product called Black Magic. It was explained by Pulaski Facility representatives that this crust must be periodically removed from the top of the tank. This residue is collected in 55-gallon drums. Near the tank, two 55-gallon drums were observed. Both were said to contain the "crust" from the oxide tank. One of the drums was ½ full, open, unlabeled, and undated (See Attachment 1- Photos 18 and 19). The other drum was completely full, open, unlabeled, and undated (See Attachment 1- Photo 20). Mr. Justin Wright, Pulaski Facility Production Coordinator, stated that he did not believe that any of the crust had been disposed of since the line began operations.

a. Provide a MSDS for black oxide.

b. Please explain why the crust forms within the black oxide tank.

For each of the 55-gallon drums observed near the black oxide tank, please answer the following:

c. Please provide a detailed description of the process or processes which generated the materials in each of the containers.

d. Describe the contents of each of the containers observed during EPA's December 2007 CEI, and provide the basis for your knowledge of such contents.

e. Provide the start date in which waste accumulation began for each container.

f. Provide a MSDS for **each and every** content present in each of these containers.

g. State whether a "waste determination" and "LDR determination" was made for the contents of each of these containers.

h. If a "waste determination" and "LDR determination" were made for the contents of each of these containers, state when such determinations were made.

i. Were the contents of each of these containers determined to be "hazardous waste?" If so, please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

j. State whether the hazardous waste determination was based on the generator's knowledge of the process that generated the waste or on analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

k. Please state if the contents of each of these containers were shipped off-site and the date of the shipment(s). If the contents have not been shipped off-site, state the current location of the contents and why such contents have not been shipped off-site.

l. Were the contents of each of these containers shipped off-site for recycle (i.e., reclaim, re-use), treatment, storage or disposal?

m. If the contents of each of these containers were shipped off-site, provide copies of **all** bills of lading, manifests (including hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied **each** off-site shipment of this waste.

6. When asked about the hazardous waste storage area, Pulaski Facility representatives escorted the inspectors to an area across from the anodizing line. Four 55-gallon drums were observed on a pallet (See Attachment 1- Photo 22). On top of the drums, was a pallet containing machine parts. It was difficult to inspect the containers due to the location of the drums, therefore, the pallet on top of the drums had to be removed using a forklift. According to Mr. Justin Wright, Pulaski Facility Production Coordinator, the drums contained ammonium bifluoride waste from the satin etch tank and were generated a few months ago. The four drums were in good condition, full, closed, undated. None of the drums were labeled "Hazardous Waste." One of the four drums was labeled "Ammonium Fluoride Solution & Waste" (Photo 23) while another was labeled "142516871" "A-3 (Y or 4) Haz" "1372#" (Photo 24). The remaining two drums appeared unlabeled.

Near this storage area, two 55-gallon drums were observed. The drums were closed, unlabeled, undated. Mr. Wright was unsure as to the contents of these drums. One of the drums had a product label of "Aluminum Cleaner NSS" "Oakite" (Attachment 1 - Photo

25) while the other had a product label of "Specialty ANO-EE" and "Corrosive."

For each of these 55-gallon drums described above, please answer the following:

a. Please provide a detailed description of the process or processes which generated the materials in each of these containers.

b. Describe the contents of each of containers observed during EPA's December 2007 CEI, and provide the basis for your knowledge of such contents.

c. Provide the start date in which waste accumulation began for each container.

d. Provide a MSDS for **each and every** content present in each of these containers.

e. State whether a "waste determination" and "LDR determination" was made for the contents of each of these containers.

f. If a "waste determination" and "LDR determination" were made for the contents of each of these containers, state when such determinations were made.

g. Were the contents of each of these containers determined to be "hazardous waste?" If so, please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

h. State whether the hazardous waste determination was based on the generator's knowledge of the process that generated the waste or on analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

i. Please state if the contents of each of these containers were shipped off-site and the date of the shipment(s). If the contents have not been shipped off-site, state the current location of the contents and why such contents have not been shipped off-site.

j. Were the contents of each of these containers shipped off-site for recycle (i.e., reclaim, re-use), treatment, storage or disposal?

k. If the contents of each of these containers were shipped off-site, provide copies of **all** bills of lading, manifests (including hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied **each** off-site shipment of this waste.

7. No manifests and land disposal restriction (LDR) notifications were provided in the submittal from Mr. Wellington Abhilashi, Facility Chemist, on January 17, 2008. However, the 2005 biennial report indicates that hazardous waste was shipped off-site in 2005 for treatment, disposal, or recycling. Please state if any manifests and LDRs were retained for the time period of **February 1, 2003 up to receipt of this letter**. If so, please submit **any and all** manifests and land disposal restriction (LDR) notification forms (including any one-time notification forms) retained by the Pulaski Facility for off-site shipments of hazardous waste for the time period **February 1, 2003 up to receipt of this letter**.

Baylis Facility

8. During the opening conference, Baylis Facility representatives stated that no aerosol cans were used at the Baylis Facility. However, within the maintenance area, a number of aerosol cans were observed. Mr. Wellington Abhilashi, Facility Chemist, was unsure of how used aerosol cans were disposed of.

Regarding the used aerosol can waste stream generated at the Baylis Facility, please answer the following:

a. Please provide a detailed description of the process or processes which use aerosol can products at the Baylis Facility.

b. Please provide an estimate of the number of aerosol cans used by the Baylis Facility annually.

c. Please provide the MSDSs for any and all aerosol can products used at the Baylis Facility. If MSDSs are not available, please list the product name and manufacturer of any and all aerosol can products used at the Baylis Facility.

d. State whether a "waste determination" and "LDR determination" were made for for any and all used aerosol can products generated at the Baylis Facility.

e. If a "waste determination" and "LDR determination" were made for any and all aerosol can products generated at the Baylis Facility, please state when such determination(s) were made and provide the determination(s).

f. If the contents of any and all aerosol can products generated at the Baylis Facility have been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

g. State whether any hazardous waste determination made for any and all aerosol can products generated at the Baylis Facility was based on the generator's knowledge of the process that generated the waste or upon analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

h. Provide copies of **all** bills of lading, manifests (including hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied **each** off-site shipment of used aerosol cans generated at the Baylis Facility.

9. Next to the electric meters and anodizing tank, ten 55-gallon drums and an overpack container were observed (See Attachment 2 - Photo 1). All of the containers appeared to be closed, however, it was not possible to inspect all the containers due to limited spacing around the containers. One of the 55-gallon drums was labeled "Rinse Chromic" and dated 12/7/07 (See Attachment 2 - Photo 2). Another drum, dated 12/7/07, had a torn label, in which the word "Chromic" was observed (See Attachment 2 - Photo 3). Another drum, dated 10/30/07, was labeled "Chromic Rinse" (See Attachment 2 - Photo 4). According to Mr. Wellington Abhilashi, Facility Chemist, when the chromic acid tank is

pumped out, sediment remains on the bottom of the tank. Rinse water from the chromic acid rinse tank is used to remove the sediment and clean out the chromic acid tank. This rinse water is then drummed up for disposal. According to Mr. Abhilashi, the drums labeled "Rinse Chromic," "Chromic Rinse, " and "Chromic" contain this rinse water and were awaiting disposal. Although the inspectors were unable to observe any labels, Mr. Abhilashi stated that one of the drums (which had a cooler on top of it) also contained chromic rinse water.

The overpack container was labeled "Caustic Etch Sludge" and was dated 5/12/06 (See Attachment 2 - Photo 5). Mr. Abhilashi stated that this container held sludge from the caustic tank. Mr. Abhilashi identified three of the drums within this area as containing product. Some of the labels on the drums that Mr. Abhilashi stated contained product are included as Photos 6 and 7 in Attachment 2. Due to the limited spacing and the location of the drums, Mr. Abhilashi was unable to identify the contents of the remaining two drums, which were located in the far right-hand corner. No labels could be observed. Following the inspection, additional information provided by Mr. Wellington Abhilashi, Facility Chemist, on January 17, 2008 stated that one of the drums contained caustic etch sludge while the other contained chromic rinse water.

A diagram of the layout of this area is included in Attachment 2.

For each of the ten 55-gallon drums and overpack container described above, please answer the following:

a. Please provide a detailed description of the process or processes which generated the materials in each of these containers.

b. Describe the contents of each of containers observed during EPA's December 2007 CEI, and provide the basis for your knowledge of such contents.

c. Provide the start date in which waste accumulation began for each container.

d. Provide a MSDS for **each and every** content present in each of these containers.

e. State whether a "waste determination" and "LDR determination" was made for the contents of each of these containers.

f. If a "waste determination" and "LDR determination" were made for the contents of each of these containers, state when such determinations were made.

g. Were the contents of each of these containers determined to be "hazardous waste?" If so, please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

h. State whether the hazardous waste determination was based on the generator's knowledge of the process that generated the waste or on analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

i. Please state if the contents of each of these containers were shipped off-site and the date of the shipment(s). If the contents have not been shipped off-site, state

the current location of the contents and why such contents have not been shipped off-site.

j. Was the contents of each of these containers shipped off-site for recycle (i.e., reclaim, re-use), treatment, storage or disposal?

k. If the contents of each of these containers were shipped off-site, provide copies of **all** bills of lading, manifests (including hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied **each** off-site shipment of this waste.

10. During the EPA inspection, three methyl ethyl ketone (MEK) parts cleaners, of which only two appeared to be in use, were observed. Near these parts cleaners, two 55-gallon drums were observed (See Attachment 2 - Photo 8). One of the drums, which was approximately 1/4 full, had a closed funnel in the bung hole and was undated. The drum was not labeled "Hazardous Waste" or with any words identifying the contents. The only label on the drum was the MEK product label. The other drum had a hand pump in the bung hole. According to Mr. Wellington Abhilashi, Facility Chemist, the drum with the funnel contained waste MEK from the parts cleaners while the drum with the hand pump contained new product. Mr. Abhilashi stated that a full drum of waste MEK is generated approximately every one to two months. Furthermore, he explained that the waste MEK had been transported to the Eastern Plating Pulaski Highway facility and was being reclaimed in the Pulaski Highway facility's distillation unit.

a. Please state whether or not the above understanding is correct. If one or more of the above statements is not accurate, for each such statement please: a) indicate which statement(s) is inaccurate; b) describe, in detail, your reasons as to why such statement is inaccurate, and c) provide documentation supporting any assertion of inaccuracy.

b. Please state how many gallons of spent MEK are generated within one month at the Baylis Facility and provide any supporting documentation (e.g., invoices).

For each of the two 55-gallon containers described above, please answer the following:

c. Please provide a detailed description of the process or processes which generated the materials in each of these containers.

d. Describe the contents of each of the containers observed during EPA's December 2007 CEI, and provide the basis for your knowledge of such contents.

e. Provide a MSDS for **each and every** content present in each of the containers.

f. State whether a "waste determination" and "LDR determination" was made for the contents of each of the containers.

g. If a "waste determination" and "LDR determination" were made for the contents of each of the containers, state when such determinations were made.

h. Were the contents of each of the containers determined to be "hazardous waste?" If so, please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

i. State whether the hazardous waste determination was based on the generator's knowledge of the process that generated the waste or on analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

j. Please state if the contents of each of the containers were shipped off-site and the date of the shipment(s). If the contents have not been shipped off-site, state the current location of the contents and why such contents have not been shipped off-site.

k. Was the contents of each of the containers shipped off-site for recycle (i.e., reclaim, re-use), treatment, storage or disposal?

l. If the contents of each of the containers were shipped off-site, provide copies of **all** bills of lading, manifests (including hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied **each** off-site shipment of this waste.

11. The inspectors observed gloves on a table near the parts cleaners. The inspectors asked what was done with the gloves that are used to place and remove the parts from the MEK parts cleaners after they can no longer be used. Mr. Wellington Abhilashi, Facility Chemist, stated that they are disposed of in the municipal trash.

a. Please provide an estimate of the number of MEK-contaminated gloves that are generated by the Baylis Facility annually.

b. Please provide the MSDSs for any and all MEK-based products that have had contact with gloves at the Baylis Facility.

c. State whether a "waste determination" and "LDR determination" were made for for any and all MEK-contaminated gloves that are generated by the Baylis Facility.

d. If a "waste determination" and "LDR determination" were made for any and all MEK-contaminated gloves that are generated by the Baylis Facility, please state when such determination(s) were made and provide the determination(s).

e. If MEK-contaminated gloves that are generated by the Baylis Facility have been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

f. State whether any hazardous waste determination made for any and all MEK-contaminated gloves that are generated by the Baylis Facility was based on the generator's knowledge of the process that generated the waste or upon analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

g. Provide copies of **all** bills of lading, manifests (including hazardous waste manifests), shipping invoices, and LDR notices and certifications that

accompanied **each** off-site shipment of MEK-contaminated gloves that are generated by the Baylis Facility.

12. Near the wastewater treatment area, one open 55-gallon container was observed by the inspectors (See Attachment 2 - Photo 11). The drum contained pump filters, in which Mr. Wellington Abhilashi, Facility Chemist, stated that they had been used primarily with the chromic acid tank (See Attachment 2 - Photo 12). He further stated that this drum would be disposed of as hazardous waste. The drum was unlabeled and undated.

For the 55-gallon container, please answer the following:

a. Please provide a detailed description of the process or processes which generated the materials in the container.

b. Describe the contents of the container observed during EPA's December 2007 CEI, and provide the basis for your knowledge of such contents.

c. Provide a MSDS for **each and every** content present in the container.

d. State whether a "waste determination" and "LDR determination" was made for the contents of the container.

e. If a "waste determination" and "LDR determination" were made for the contents of the container, state when such determinations were made.

f. Were the contents of the container determined to be "hazardous waste?" If so, please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

g. State whether the hazardous waste determination was based on the generator's knowledge of the process that generated the waste or on analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

h. Please state if the contents of the container were shipped off-site and the date of the shipment(s). If the contents have not been shipped off-site, state the current location of the contents and why such contents have not been shipped off-site.

i. Was the contents of each of the container shipped off-site for recycle (i.e., reclaim, re-use), treatment, storage or disposal?

j. If the contents of each of the container were shipped off-site, provide copies of **all** bills of lading, manifests (including hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied **each** off-site shipment of this waste.

13. No land disposal restriction (LDR) notifications were provided within the submittal from Mr. Wellington Abhilashi, Facility Chemist, on January 17, 2008. Please state if any LDRs were retained for the time period of **February 1, 2003 up to receipt of this letter**. If so, please submit **any and all** land disposal restriction (LDR) notification forms (including any one-time notification forms) retained by the Baylis Facility for off-site

shipments of hazardous waste for the time period **February 1, 2003 up to receipt of this letter**.

14. In the January 17, 2008 submittal from Mr. Wellington Abhilashi, Facility Chemist, it appears that copies of all manifests retained by the Baylis Facility for off-site shipments of hazardous waste for the time period of January 1, 2005 - January 17, 2008 were submitted.

    a. Please state whether or not the above understanding is correct. If one or more of the above statements is not accurate, for each such statement please: a) indicate which statement(s) is inaccurate; b) describe, in detail, your reasons as to why such statement is inaccurate, and c) provide documentation supporting any assertion of inaccuracy.

    b. Of the manifests provided, two were illegible. Please provide legible copies of manifest MDC1108299, which appears to be signed by the designated facility on 3/23/06, and manifest ----FLE (the beginning numbers were illegible), which appears to be signed by Gerald Sullivan (generator) on 9/26/06.

    c. Please submit **any and all** manifests and land disposal restriction (LDR) notification forms (including any one-time notification forms) retained by the Baylis Facility for off-site shipments of hazardous waste for the time period **February 1, 2003 up to December 31, 2004.**

Both Pulaski Facility and Baylis Facility

15. With respect to the used electric lamp waste stream (examples of common universal waste electric lamps include, but are not limited to, fluorescent, high intensity discharge, neon, mercury vapor, high pressure sodium, and metal halide lamps) at the Pulaski Facility and the Baylis Facility **for the period of February 1, 2003 up to receipt of this letter**, please provide the following information for ***each*** Facility:

    a. Provide the MSDSs for the electric lamps that are used at each Facility. If the MSDSs are unavailable, please provide the make, model, and manufacturer of each lamp used.

    b. State whether a waste determination has been done on the used lamps at each Facility. If so, provide the results of each determination performed or relied on by each Facility for purposes of managing and disposing of used electric lamps. Include with this description all information on which such determinations were based including, but not limited to, knowledge of the hazard characteristics of the waste in light of the materials or the processes used, MSDSs, results of chemical or physical analyses, and any other information used to make this determination. State each Facility's management rationale for determining which used lamps were hazardous and which were non-hazardous.

    c. A description of the total number of electric lamps installed at each Facility, the total number of electric lamps that were purchased on a yearly basis, the total number of lamps that were replaced each year, and the manufacturer(s) and model number(s) of lamps purchased and disposed of for the period in question.

    d. A detailed description of how the used lamps were handled, managed in containers or packages, and how these packages/containers were labeled or

marked since **February 1, 2003**. Include copies of all written procedures followed by employees responsible for handling used lamps.

e. For **each** month during the **specified period**, state the **total** number of used lamps classified as hazardous or universal waste which were generated and disposed of by each Facility.

f. State whether the hazardous used lamps were sent off-site. If the hazardous used lamps were sent off-site, describe the procedures used for handling and storing the lamps prior to each shipment.

g. State the name and address of the destination facility(s) to which the used lamps were sent and copies of any and all documents pertaining to shipments to that facility(s).

h. Provide copies of all bills of lading, manifests or shipping invoices that accompanied the shipment(s) of hazardous used lamps.

16. With respect to the used computer monitors (Cathode Ray Tubes (CRTs)) at both the Pulaski Facility and the Baylis Facility and **for the period of February 1, 2003 up to receipt of this letter**, please provide the following information for ***each*** Facility:

a. State whether a waste determination has been made for each Facility's used CRTs. If so, provide the results of each determination performed or relied on by each Facility for purposes of managing and disposing of used CRTs. Include with this description all information on which such determinations were based including, but not limited to, knowledge of the hazard characteristics of the waste in light of the materials or the processes used, MSDSs, results of chemical or physical analyses, and any other information used to make this determination. State each Facility's management rationale for determining which used CRTs were hazardous and which were non-hazardous.

b. A description of the total number of CRTs used at each Facility, the total number of CRTs that were purchased on a yearly basis, the total number of CRTs that were replaced each year, and the manufacturer(s) and model number(s) of CRTs purchased and disposed of for the period in question.

c. A detailed description of how the used CRTs were handled, managed in containers or packages, and how these packages/containers were labeled or marked since **February 1, 2003**. Include copies of all written procedures followed by employees responsible for handling used CRTs.

d. For **each** month during the **specified period**, state the **total** number of used CRTs classified as hazardous waste which were generated and disposed of by each Facility.

e. State whether the hazardous used CRTs were sent off-site. If the hazardous used CRTs were sent off-site, describe the procedures used for handling and storing the CRTs prior to each shipment.

f. State the name and address of the destination facility(s) to which the used CRTs were sent and copies of any and all documents pertaining to shipments to the facility(s).

g. Provide copies of all bills of lading, manifests or shipping invoices that accompanied the shipment(s) of hazardous used CRTs.

17. It is EPA's understanding that some areas of preanodized parts are not to be plated, so a lacquer must be applied to these areas to protect them from anodizing during the dipping process. As the lacquer is being applied, if any paint is accidentally placed in an area that is to be anodized, the lacquer is removed by methyl ethyl ketone (MEK) and Q-tips or brushes. It was explained that brushes are primarily used at Baylis Facility while Q-tips are primarily used at the Pulaski Facility. This process of applying lacquer and removing any accidental lacquer with MEK occurs in the masking room at each Facility. According to Facility representatives, the MEK-contaminated Q-tips and brushes are disposed of in the municipal trash. Within the masking room at Pulaski Facility, five trash cans were observed to be containing MEK-contaminated Q-tips.

For the MEK-contaminated Q-tips and brushes generated at *each* Facility:

a. Please state whether or not the above understanding is correct. If one or more of the above statements is not accurate, for each such statement please: a) indicate which statement(s) is inaccurate; b) describe, in detail, your reasons as to why such statement is inaccurate, and c) provide documentation supporting any assertion of inaccuracy.

b. For each Facility, please provide an estimate of the number of MEK-contaminated Q-tips and brushes that are generated by each Facility weekly.

c. Please provide the MSDSs for any and all products used on Q-tips and brushes at each Facility.

d. State whether a "waste determination" and "LDR determination" were made for for any and all MEK-contaminated Q-tips and brushes generated at each Facility.

e. If a "waste determination" and "LDR determination" were made for any and all MEK-contaminated Q-tips and brushes generated at each Facility, please state when such determination(s) were made and provide the determination(s).

f. If the MEK-contaminated Q-tips and brushes generated at each Facility have been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

g. State whether any hazardous waste determination made for any and all MEK-contaminated Q-tips and brushes generated at each Facility was based on the generator's knowledge of the process that generated the waste or upon analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

h. Provide copies of **all** bills of lading, manifests (including hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied **each** off-site shipment of MEK-contaminated Q-tips and brushes at each Facility.

18. Facility representatives explained during the EPA inspections that a distillation unit is not at the Baylis Street facility. Therefore, drums of spent MEK had been transported to the Pulaski Highway facility using a company van. Mr. Justin Wright, Pulaski Facility Production Coordinator, stated that the transport of spent MEK had only occurred once, approximately one month ago, with three drums of spent MEK, while Mr. Wellington Abhilashi, Facility Chemist, believed that the transport of MEK had occurred more than once.

With regard to the generation and transportation of wastes from the Baylis Facility location to the Pulaski Facility, please answer the following:

a. Please provide a detailed description of the process or processes which generated the waste materials that were transported from the Baylis Facility location to the Pulaski Facility.

b. Provide the MSDSs for any and all waste materials that were transported from the Baylis Facility location to the Pulaski Facility.

c. State whether a "waste determination" and "LDR determination" were made for for any and all waste materials that were transported from the Baylis Facility location to the Pulaski Facility.

d. If a "waste determination" and "LDR determination" were made for any and all waste materials that were transported from the Baylis Facility location to the Pulaski Facility, please state when such determination(s) were made and provide the determination(s).

e. If the waste materials that were transported from the Baylis Facility location to the Pulaski Facility have been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

f. State whether any hazardous waste determination made for any and all waste materials that were transported from the Baylis Facility location to the Pulaski Facility was based on the generator's knowledge of the process that generated the waste or upon analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

g. Provide each and every date that waste materials were transported from the Baylis Facility location to the Pulaski Facility. In addition, provide the volume, in gallons for liquids and pounds for solids, and the types (i.e., paint, solvent, cleaner) of wastes transported.

h. Please provide a detailed description of how the wastes were managed from the time they were shipped off-site from the Baylis Facility locations until their arrival at the Pulaski Facility. Please be sure to include, but not limit to, the type and volume of container(s) used to transport the wastes, mixing/consolidation of the wastes, type(s) of vehicle(s) used to transport the wastes, and the name(s) of the person(s) responsible for transporting the wastes to the Pulaski Facility.

i. Submit copies of <u>all</u> bills of lading, manifests (including hazardous and non-

hazardous waste manifests), shipping invoices, and LDR notices/certifications that accompanied the transport of these wastes from the Baylis Facility location to the Pulaski Facility.

19. At the Pulaski Facility, next to the 55-gallon drums described in ***Question 3***, a small open bucket was observed (See Attachment 1 - Photo 13). The bucket, which was unlabeled and undated, contained dirty rags. According to Pulaski Facility representatives, the rags were used to dry off and wipe the MEK and lacquer residue from the parts that had been removed from the parts cleaners. These rags were to be disposed of in the municipal trash.

Near the distillation unit at the Pulaski Facility, a plastic trash bag containing dirty rags was observed (See Attachment 1 - Photo 15). Pulaski Facility representatives stated that this bag contained the same type of dirty rags that were observed in the small bucket near the 55-gallon drums. The bag was unlabeled and undated. Near the bag, a red 15-gallon container was observed (See Attachment 1 - Photos 16 and 17). This container held dirty rags. As with the trash bag, Pulaski Facility representatives stated that this container contained the same type of dirty rags that were observed in the small bucket near the 55-gallon drums. The container was closed, unlabeled, and undated.

At the Baylis Facility, near the two 55-gallon drums described in ***Question 10***, one 15-20 gallon closed, red container was observed (See Attachment 2 - Photo 9). Within the container, rags were observed (See Attachment 2 - Photo 10). Mr. Wellington Abhilashi, Facility Chemist, stated that the container held rags that had been used to dry off and wipe the MEK from the parts that had been removed from the parts cleaners. The container was unlabeled and undated. According to Mr. Abhilashi, used rags are disposed of in the municipal trash.

For the used MEK-contaminated rags generated at *each* Facility, please answer the following:

a. Please state whether or not the above understanding is correct. If one or more of the above statements is not accurate, for each such statement please: a) indicate which statement(s) is inaccurate; b) describe, in detail, your reasons as to why such statement is inaccurate, and c) provide documentation supporting any assertion of inaccuracy.

b. For each Facility, please provide an estimate of the number of MEK-contaminated rags that are generated by each Facility annually.

c. Please provide the MSDSs for any and all MEK-based products used on rags at each Facility.

d. State whether a "waste determination" and "LDR determination" were made for for any and all MEK-contaminated rags generated at each Facility.

e. If a "waste determination" and "LDR determination" were made for any and all MEK-contaminated rags generated at each Facility, please state when such determination(s) were made and provide the determination(s).

f. If the MEK-contaminated rags generated at the Facility have been determined to be "hazardous waste," please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste.

g. State whether any hazardous waste determination made for any and all MEK-contaminated rags generated at each Facility was based on the generator's knowledge of the process that generated the waste or upon analytical results. If a determination was made on the basis of process knowledge, describe in detail the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.

h. Provide copies of **all** bills of lading, manifests (including hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied **each** off-site shipment of MEK-contaminated rags at each Facility.

20. In regard to ***each*** Facility's RCRA training program that was **in effect at the time of the inspection on December 11, 2007:**

a. For ***each*** Facility, provide the **name and position** of those employees that are/were responsible for the management of hazardous waste at each Facility for the **time period of February 1, 2003 up to receipt of this letter**. This includes, but is not limited to, persons who are responsible for the labeling, dating, moving, generating, sampling, and/or waste determination of hazardous waste, in addition to signing of manifests, preparation of LDR Notices, preparation of Hazardous Waste Reports, and Emergency Coordinators.

b. For ***each*** Facility, please state whether or not initial **and** annual hazardous waste training has been provided to those employees listed in response to ***Question 20a*** **at any time since February 1, 2003**. If so, please state the date(s) when such training took place and submit copies of any and all hazardous waste training records each Facility has on file for those employees. In addition, be sure to include a detailed description of the training provided, including copies of all documents such as course descriptions, training materials and handouts, attendance rosters, training certificates, etc.

c. For ***each*** Facility, provide the name(s), affiliations, and qualifications of the instructor(s) who taught each training course in hazardous waste management or emergency response procedures referred to in your responses to ***Question No. 20b***.

d. No job titles were provided in the submittal from Mr. Wellington Abhilashi, Facility Chemist, on January 17, 2008. State whether or not each Facility keeps on file documented job titles for those employees listed in answer to ***Question 20a***, above. If so, please submit ***each*** Facility's **documented job titles** of those employees at each Facility that are/were involved in the management of hazardous waste **for the time period of February 1, 2003 up to receipt of this letter** and state when such documented job titles were prepared.

e. No job descriptions were provided in the submittal from Mr. Wellington Abhilashi, Facility Chemist, on January 17, 2008. For ***each*** Facility, state whether or not each Facility keeps on file documented job descriptions for those employees listed in answer to ***Question 20a***, above. If so, please submit each Facility's **documented job descriptions** of those employees at each Facility that are/were involved in the management of hazardous waste **for the time period of February 1, 2003 up to receipt of this letter** and state when such documented

job descriptions were prepared.

f. Submit all RCRA **training records *each*** Facility has on file for those employees that are/were involved in the management of hazardous waste **for the time period of February 1, 2003 up to receipt of this letter**.

g. For ***each*** Facility, state whether or not each Facility has documentation stating the amount of introductory and continuing training the Facility requires for those employees responsible for the management of hazardous waste. If so, submit each Facility's **documentation of the type and amount of both introductory and continuing training** that is required for each person filling a position involving the management of hazardous waste at each Facility and state when such documentation was prepared.

21. For ***each*** Facility, has a copy of the Facility's Contingency Plan been submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services? If so, please state the date and provide **any and all** documentation each Facility has on record to support your claim.

22. Following the inspection, inspection logs for the hazardous waste storage area(s) were provided by Mr. Wellington Abhilashi, Facility Chemist, on January 17, 2008. Inspection logs for the hazardous waste storage area(s) at both facilities for the time period of June 2007 - January 2008 were provided. Please state if each Facility conducted weekly inspections of the hazardous waste storage area(s) prior to June 2007. If so, please state who performed such inspections at each Facility and provide **any and all** documentation (i.e., inspection logs) supporting your claim for the time period fo ***February 1, 2003 - May 31, 2007***.

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928, authorize EPA to pursue penalties for failure to comply with or respond adequately to an information request under Section 3007(a) of RCRA. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

Your response must include the following signed and dated certification:

> I certify that the information contained in this response to EPA's request for information and the accompanying documents is true, accurate and complete. As to the identified portions of this response for which I cannot personally verify their accuracy, I certify under penalty of law that this response and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Signature: _____
Name: _____
Title: _____

You are entitled to assert a claim of business confidentiality covering any part or all of the information, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

Please send, or otherwise ensure delivery of, **one copy** of the requested information **within thirty (30) calendar** days of your receipt of this letter to:

Ms. Stacie L. Peterson (3WC31)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Although EPA has not determined whether Eastern Plating is classified as a "small business" under the Small Business Regulatory Enforcement Fairness Act ("SBREFA"), please see the Information Sheet enclosed with this letter. The Information Sheet provides information on contacting the Small Business Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in EPA's small business program or to seek compliance assistance does not relieve Eastern Plating of its obligation to respond in a timely manner to an EPA request or enforcement action, create any new rights or defenses under law, and will not affect EPA's decision to pursue an enforcement action. To preserve its legal rights, Eastern Plating must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement actions.

If you have any questions concerning this matter, please contact Ms. Stacie L. Peterson at (215) 814-5173.

Sincerely,

Carol Amend

Carol Amend, Chief
RCRA Compliance and Enforcement Branch
Waste and Chemicals Management Division

Enclosures

cc: S. Peterson (3WC31)
Rick Johnson (MDE)

STERN PLATING COMPANY, INC.

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March 17, 2008

Ms. Stacie L. Peterson (3WC31)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Responses to Information Request – Reference No. C08-009
EPA ID No. MDD063215453; MD0000136366

Dear Ms. Peterson:

As indicated in my email to you dated February 28, 2008, I am the primary contact for all correspondences for these matters.

Enclosed you will find our responses. We attempted to provide short, concise answers to each of the requests. There were several requests where we believe added background information, clarifications or comments were necessary. These were addressed specifically in the response.

We are presenting to you the information below to help further explain those items which were not specifically addressed in the responses.

There may be some conflicts between the written responses in these documents and the verbal responses given to you during the inspection. These are explainable. Justin Wright, the Pulaski Production Coordinator, is not responsible for all the operations of the shop, including those surveyed during the inspections. Most of Justin's time had been spent working on the process line and not throughout the shop. Though Wellington Abilashi, Facility Chemist, is assigned to oversee the operations surveyed during the inspection, he had been with the company about six months at the time of the survey. He had not completed his on the job training in these areas. Both employees provided honest responses based on their incomplete knowledge at the time. Though both are outstanding and well respected employees of the company, some of their verbal responses were either inaccurate or incomplete. These were addressed as noted.

On the 2003 and 2005 biennial reports we incorrectly identified Eastern Plating Baylis Facility as a Small Quantity Generator. This was due to oversights, misconceptions and misunderstandings on our part. We believe these are explainable. Eastern Plating is a small company. Overall we have generated small amounts of truly hazardous waste. Each year we've made an annual, single shipment of over 26,000 pounds of liquid, chrome bearing solutions from our process tanks. In those shipments only 20% was hazardous waste. 50% of the shipments contained usable product and 30% of the shipments contained rinse waters which was non-hazardous. We shipped these as part of annual shop maintenance and "because the chrome hauler was coming". The usable product we shipped annually is used in process for 2 – 5 years by other companies in the industry. A review of internal process lab records, our manifests and our profiles generated by the haulers not only supports this but shows that we have shipped other items as hazardous waste that was not hazardous. In addition, we never

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received a correction from the EPA until last December. Once we became aware of the situation we immediately changed our chrome hauling plans. In 2008 and beyond our chrome hauls will be about one third of the amounts hauled in the past. Our manifests will clearly show that we are a Small Quantity Generator.

We are an environmentally conscious company. We do not pollute. We are in good standing and have an excellent relationship with both Baltimore City and Baltimore County Departments of Wastewaters. I am sure both agencies will attest to that.

We make every attempt to recycle and reuse our materials and reduce our hazardous waste. For instance, the MEK recycler was installed to eliminate the MEK hazardous waste. We have extended the useful life of our hazardous waste filters which has reduced our hazardous waste generation.

Over 90% of all hazardous waste generated at Eastern Plating is not stored. It is pumped directly from the process tanks to the truck which hauls it away. Less than 10% of our hazardous waste is kept on site waiting to be hauled.

We realized, as a result of last December's inspection, that we have some significant deficiencies in our materials and waste management operations. First, we need more thorough training to clearly understand the regulations and how to manage our materials and wastes within those regulations. We need to be sure of our materials classifications through certified laboratory analysis. We need more thorough procedures and operator training on those procedures. We need better housekeeping, clearly labeling all materials. We have begun to address and take action on each of these issues.

I am available at the contact information above for all follow up correspondence on these matters.

Regards,

Michael W. Castor
President

EASTERN PLATING COMPANY, INC.

[redacted]

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March 17, 2008

I certify that the information contained in this response to EPA's request for information and the accompanying documents is true, accurate and complete. As to the identified portions of this response for which I cannot personally verify their accuracy, I certify under penalty of law that this response and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Michael W. Castor
President